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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,006	11/13/2000	Martin Peller	951/49166	1896

7590

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EXAMINER

CHO, JAMES HYONCHOL

ART UNIT

PAPER NUMBER

2819

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/646,006

Applicant(s)

PELLER, MARTIN

Examiner

James H. Cho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5,6 and 9 is/are rejected.
- 7) ☒ Claim(s) 7,8 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Receipt is acknowledged of the Pre-Amendment filed September 11, 2000.

#### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: the reference sign, "2" as recited in "The output 2 of the AND gate on line 14 of page 4 is not shown in the figure. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Specification***

4. The disclosure is objected to because of the following informalities: the wording, "The number of the input and outputs of the gate corresponds to " on line 12-13 of page 4 appears to be --The number of the inputs of the gate corresponds to-- since the AND gate shown in the figure has only one output.

Appropriate correction is required.

#### ***Claim Objections***

5. Claims 5-8 are objected to because of the following informalities:

In claim 5, the wording, "data exchange module" on line 4 appears to be --data exchange modules--;

In claim 6, the wording, "data exchanges" on line 2 appears to be --data exchange modules--, and "opto-electronic" on line 4 appears to be --opto-electrical--;

In claim 7, the wording, "according according" on line 1 appears to be --according--, "data exchange" on line 3 appears to be --data exchange modules--, and "the output signal" on line 5 appears to be --the output signal of said logic decision gate--; and

In claim 8, the wording, "Claim 5" on line 1 appears to be --Claim 7--.  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 5-6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Tominaga et al. (A Network Architecture with Distributed Switching Function for Optical Fiber Links, Proceedings Computer Networks COMPCON 82 Fall, September 1982, pp. 478-483).

Regarding claims 5 and 9, Fig. 1(a) of Tominaga et al. discloses a data bus for a plurality of nodes (nodes where O/E and E/O are connected to the transmission lines)

which exchange data with one another over at least one electrical line and the method of exchanging data among the plurality of nodes, the data bus comprising a plurality of data exchange modules (first module comprising the O/E and E/O on the top, a second modules comprising the O/E and E/O on the middle, a third modules comprising the O/E and E/O on the bottom) each having a first input (input to the O/E) for receiving input data from respective ones of the plurality of nodes and providing a corresponding electrical output signal (O/E converts optical signal to electrical signal), a logic decision gate (OR gate) having a plurality of inputs (three inputs to OR gate) with each input receiving the respective electrical output signal where a single output of the decision gate is connected to a second input of each of the plurality data exchange modules (input to E/O).

Regarding claim 6, Fig. 1(a) of Tominaga et al. discloses the data bus according to Claim 5 where each of the data exchange modules comprises an opto-electrical transducer (O/E) where an output of the nodes is connected through an optical transmission element (fiber) to the opto-electrical transducer.

***Allowable Subject Matter***

7. Claims 7-8 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims as well as claim objections stated above.

The following is a statement of reasons for the indication of allowable subject matter: Although, Tominaga et al. discloses a star repeater architecture comprising data exchange modules and logic gate, Tominaga et al. differs from the present claimed invention because, among other things, Tominaga et al. pertains to a logical configuration of the star repeater whereas the present claimed invention pertains to having a signal preparation circuit positioned between the logic gate and the second input of the data exchange modules for the purpose of adjusting the output signal of the logic gate to a pulse form. Accordingly, one of ordinary skill in the art would not have been motivated to modify the teachings of Tominaga et al. to meet the claimed limitation as set forth in the present claimed invention.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Furtek et al. (US PAT No. 6,292,021) discloses FPGA structure having main column and sector reset lines.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Cho whose telephone number is 703-306-5442. The examiner can normally be reached on Monday-Friday, 05:30am-02:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached on 703-305-3493. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-308-6251 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

A handwritten signature in black ink, appearing to read "James Cho". The signature is written in a cursive, flowing style.

James Cho  
February 4, 2003